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PARTNERSHIP

April 20, 2020

Via ECF Filing

The Honorable P. Kevin Castel
United States District Court
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007

The schedule in the letter of April 20, 2020 is approved.
The conference previously scheduled for July 17, 2020
is adjourned to September 9, 2020 at 2:00pm.

SO ORDERED.
April 20, 2020


P. Kevin Castel
United States District Judge

Re: Novartis Pharma AG v. Amgen Inc., 19-cv-2993 (PKC) [rel. 19-CV-3003 (PKC)]

Dear Judge Castel:

The last several weeks have presented unprecedented challenges as a result of the restrictions imposed due to the Coronavirus. Despite the parties' best efforts to meet the May 11, 2020 fact discovery deadline (*see* ECF No. 80), counsel for Amgen Inc. and Novartis Pharma AG respectfully submit this joint letter requesting a 90-day extension of the discovery schedule. There have been two prior extensions of the discovery deadlines. *See* ECF No. 51; ECF No. 80. The next conference before the Court is scheduled for July 17, 2020. *See* ECF No. 80. The parties provide the following information in support of their joint request.

Since early January 2020, the parties have been working diligently to schedule and complete depositions across the country and overseas. As of early March, five of the twenty fact depositions in this matter had been taken, and another eleven were scheduled for March, April, and May, including a deposition in London scheduled for March 19. As the severity of the pandemic grew in mid-March, however, attorneys and witnesses became unable to travel abroad. As more restrictions were imposed in the following weeks, it became clear we were unable to travel at all, even domestically. While we took seriously the Court's previous order about discovery deadlines (*see* ECF No. 51), we did not anticipate an international travel ban and a shutdown of all corporations except for those businesses and functions deemed essential.

As a result of this unprecedented ongoing public health emergency, the parties request an extension of the deadlines to complete fact and expert discovery in order to accommodate party and non-party depositions requiring both domestic and international travel.

The parties have conferred and believe that a 90-day extension of the discovery deadlines is appropriate under the current circumstances realizing the situation is still fluid. Assuming that travel restrictions and major closures will be significantly eased sometime in May 2020, we believe that we can complete discovery under the schedule provided below. Understanding that the

world's response to the Coronavirus is evolving and changing on a daily basis, it is possible that the parties will need to request a further modification to the schedule at a later date, although the parties hope that will not be necessary.

Accordingly, the parties respectfully request that the Court modify the case schedule as indicated in the chart below. The parties also have attached a proposed revised Civil Case Management Plan and Scheduling Order in accordance with Individual Practice Rule 1.B.

Deadline	Current Schedule	Jointly Proposed Schedule
Request to Admit Service Deadline	April 10, 2020	July 10, 2020
Contention Interrogatories Service Deadline	April 10, 2020	July 10, 2020
Fact Deposition and Discovery Deadline	May 11, 2020	August 10, 2020
Expert Deposition and Discovery Deadline	July 13, 2020	October 13, 2020

Respectfully submitted,

/s/ Ralia Polechronis
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CERTIFICATE OF SERVICE

I certify that on April 20, 2020, I have caused service of the foregoing Joint Letter re: Discovery Schedule to be made by electronic filing with the Clerk of the Court using the CM/ECF system, which will send a Notice of Electronic filing to all counsel of record.

/s/ Ralia Polechronis